

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin L. Coleman,

No. 15-CV-1856 (SRN/TNL)

Petitioner,

v.

ORDER

**Charles E. Samuels, Jr.,
Office of the Director,
Federal Bureau of Prisons,**

Respondent.

Kevin L. Coleman, Federal Prison Camp – Duluth, P.O. Box 1000, Duluth, MN 55814,
Pro Se

Ana H. Voss, Gerald Wilhelm, and David W. Fuller, United States Attorney’s Office, 300
S. 4th St., Suite 600, Minneapolis, MN 55415, on behalf of Defendant

SUSAN RICHARD NELSON, District Judge

This matter is before the undersigned United States District Judge on Petitioner Kevin L. Coleman’s Objection [Doc. No. 10] to the May 11, 2015 Order of Magistrate Judge Tony N. Leung, granting Respondent an extension of time in which to respond to Petitioner’s 28 U.S.C. § 2241 Petition [Doc. No. 9].

A district court’s review of a magistrate judge’s order on a nondispositive matter is “extremely deferential.” Reko v. Creative Promotions, Inc., 70 F. Supp.2d 1005, 1007 (D. Minn. 1999); see also United States v. Raddatz, 447 U.S. 667, 673 (1980). Magistrate Judge Leung’s ruling on Respondent’s request for an extension of time was non-

dispositive. The Court will reverse such a ruling only if it is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A); Fed. R. Crim. P. 59(a); D. Minn. LR 72.2(a).

Petitioner filed his § 2241 habeas petition on April 2, 2015 [Doc. No. 1]. The Court directed Respondent to file an answer by May 13, 2015 [Doc. No. 7]. On May 11, 2015, Respondent sought an extension of time, up to and including June 15, 2015, in which to respond to the petition. (Request for Extension [Doc. No. 8].) Respondent stated that additional time was required to conduct a factual investigation – a task made more difficult due to recent losses in staffing. (Id. at 1.) The Court granted Respondent’s request. (Order of 5/11/15 [Doc. No. 9].)

Respondent timely sought an extension of time to answer within the original 30-day response period. Federal Rule of Civil Procedure 6(b)(1)(A) clearly permits an extension “for good cause shown.” Magistrate Judge Leung determined that good cause was present in this instance and that decision is not clearly erroneous.

Based upon the foregoing, and all the files, record, and proceedings herein, **IT IS HEREBY ORDERED** that

1. Petitioner Kevin L. Coleman’s Objection [Doc. No. 10] to Magistrate Judge Leung’s May 11, 2015 Order is **OVERRULED**; and
2. Magistrate Judge Leung’s Order of May 11, 2015 [Doc. No. 9] is **AFFIRMED**.

Dated: May 21, 2015

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Court Judge